

FairTest

National Center for Fair & Open Testing

December 12, 2005

Jack O'Connell, Superintendent of Public Instruction
Amy Cameron, Consultant
Executive Office
California Department of Education
140 N Street, Suite 5602
Sacramento, CA 95814-5901

Dear Superintendent O'Connell:

The National Center for Fair & Open Testing (FairTest) strongly recommends that the California Department of Education implement an alternative means by which qualified students who do not pass the CAHSEE can still obtain a diploma.

The fundamental reason for an appeals process is that all tests have various forms of error. Thus, some students who should have passed will fail. Technical experts have concluded that multiple opportunities to take the test do not fully overcome the error factor. It is a matter of fairness that students who do not test well but who have attained a comparable level of achievement to those who have passed the exam are not denied a diploma based solely on the test results. This is particularly urgent given the well-documented consequence that students without a diploma earn far less than those with diplomas. They are more likely to be incarcerated, to have severe health problems, to be homeless, and suffer other serious problems. Many of these problems are also very costly to society. Thus, society has a strong interest in ensuring that no student who has reached the achievement level indicated by the diploma be denied the diploma due to scores on one exam.

From examples across the nation, it has become clear that there are benefits to authorizing an alternative process, that these processes are feasible, and that these processes do not lower standards, damage the quality of education, or lessen the value of the diploma.

We call your attention in particular to the Indiana process. In Indiana, the initial basis for awarding the diploma to students who have not passed the state test is satisfactory completion of core courses. Those students who complete the core courses with adequate grades earn the diploma. If the student has not completed enough of those courses, she or he may graduate if s/he meets a detailed list of other requirements, including attendance and a "C" average in specified courses. The details are on the Indiana Department of Education Website at <http://www.doe.state.in.us/istep/pdf/3ways.pdf>. The Indiana appeals process is the most sensible and fair such process that FairTest is aware of.

An alternative is the Massachusetts approach in which appellant grades are compared with the grades of other students in the same courses who passed the test. The logic is that if the appellant obtained comparable grades, then the causes for not passing the test may well be reasons that are

not relevant to his or her competency. Other factors may be considered in the appeal, which is decided by the state Commissioner of Education. The appeals process is less stringent for students with disabilities than for others. According to the Department's website, "Nearly 5,000 appeals have been filed since November 2002 and about 3,000 have been granted." The details about the appeals process are at <http://www.doe.mass.edu/mcasappeals/>.

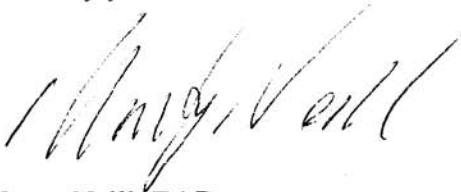
Compared with Indiana, the Massachusetts process is more cumbersome and subjective but less fair. It is cumbersome due to the volume of paperwork that must be submitted. It is subjective because district superintendents must approve and forward applications for the appeal; some do so infrequently while others approve a greater percentage. This subjectivity is one reason for diminished fairness. In addition, students from smaller schools have fewer classmates who can constitute a comparison cohort, a factor that has blocked some applicants from success.

By first considering core courses, Indiana probably has effectively addressed the comparison issue. For various reasons, not all students will take the core courses. Thus, Indiana allows an appeal based on other relevant factors by which a student can demonstrate that he or she has met the graduation requirements.

In sum, we again urge you to implement an alternative approach and recommend Indiana's approach. We raise the Massachusetts example because while it is less desirable than Indiana's, it does enable many deserving students to obtain the diploma they have earned by their school achievement.

If we can be of any assistance in this matter, please do not hesitate to contact us.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Monty Neill", written in a cursive style.

Monty Neill, Ed.D.
Executive Director